

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Mockel et al.

Group Art Unit: 1652

Appln. No.: 09/935,757

Examiner: K. Kerr

Filed: August 24, 2001

Title: Sequences which code for the sigE gene



#12
099
7/23/03

July 9, 2003

* * * * *

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
JUL 16 2003
TECH CENTER 1600/2900

Sir:

This is in response to a communication from the examiner, dated June 4, 2003, wherein the examiner required restriction to one of the following allegedly distinct inventions:

- Group I** Claims 1-8 and 17 directed to polynucleotides coding for the sigE gene, vectors and host cells thereof;
- Group II** Claims 9-16 and 18 directed to methods of making L-amino acids; and
- Group III** Claim 19-20, directed to methods for isolating nucleic acids related to cstA gene.

The applicants elect the claims of Group II (claims 9-16 and 18), without traverse, for further prosecution on the merits.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By: Thomas A. Cawley, Jr.

Thomas A. Cawley, Jr., Ph.D.

Reg. No.: 40,944

Tel. No.: (703) 905-2144

Fax No.: (703) 905-2500

TAC\amx
P.O. Box 10500
McLean, VA 22102
General Telephone: 703-905-2000
General Facsimile: 703-905-2500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Mockel et al.
Appl. No.: 09

935,757

Series Code ↑

Serial No. ↑

Filed: August 24, 2001
Mail Stop Non-Fee Amendment
Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Group Art Unit: TBA

Examiner: TBA

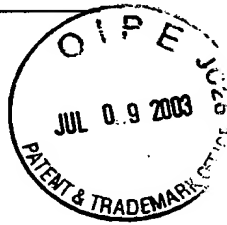
Atty. Dkt. P 0282664

000445BT

M#

Client Ref

Appl. Title: Sequences which code for the sigE gene



RECEIVED

JUL 16 2003

TECH CENTER 1600/2900

Sir:

REPLY/AMENDMENT/LETTER

Date: July 9, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

- A. ☒ NOT made
B. ☐ Withdrawn
C. ☐ made herewith
D. ☐ made previously
- For B & C
See **Required
Separate Paper
(Pat-256)**

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	**minus 0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	***minus 0	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)	add	+ \$280/\$140 =	+ \$0	104/204	
5. Original due Date: July 4, 2003	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) (2 mos) (3 mos) (4 mos) (5 mos)	\$110/\$55 = \$410/\$205 = \$930/\$465 = \$1,450/\$725 = \$1,970/\$985 =	+ \$110		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.		Extension Fee	+ \$110		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee		+ \$110/\$55	+ \$0	148/248	
10. If IDS attached requires Official Fee under Rule 97 (c),	add	+ \$180	+ \$0	126	
or if Rule 97(d) Request	add	+ \$180		126	
11. After-Final Request Fee per rules 129(a) and 17(r)		+ \$750/370	+ \$0	146/246	
12. No. of additional inventions for examination per Rule 129(b)		x \$750/375 ea	+ \$0	149/249	
13. Request for Continued Examination (RCE)		+ \$750/375	+ \$0	1179/1279	
14. Petition fee for			+ \$0		
15.		TOTAL FEE =	\$110		

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

PLEASE CHARGE
OUR DEP. ACCT

07/11/2003 DEMMANU1 00000030 033975 09935757

Our Deposit Account No. 03-3975)

(Our Order No. 021123 0282664

C#

M#

01 FC:1251

110.00 DA

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Thomas A. Cawley, Jr.

Reg. No. 40944

P.O. Box 10500
McLean, VA 22102
Tel: (703) 905-2000

Sig:

Fax:

(703) 905-2500

Tel:

(703) 905-2144

Atty/Sec: TACJ/AMX

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments